

**CERTIFICATE OF TRANSMISSION/MAILING**

Ref. No.: 12439-0070

I hereby certify that this correspondence is being facsimile transmitted to the USPTO at (571) 273-8300 or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 28, 2006.

---

Erin Cowles**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No. : 09/810,871 Confirmation No. 7472  
Applicant : Eldridge et al.  
Filed : March 16, 2001  
TC/A.U. : 2833  
Examiner : Alexander Gilman  
  
Docket No. : P70-US

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

To Whom It May Concern:

Listed on an attached Form PTO/SB/08A is information known to applicant(s). Applicants ask that the attached Form PTO/SB/08A be initialed and returned in accordance with MPEP §609. This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.

☒ This statement qualifies under 37 C.F.R. §1.97, subsection (b) because (check all that apply):

- ☐ It is being filed within 3 months of the application filing date (other than the filing date of a continued prosecution application under §1.53(d)); or
- ☐ It is being filed within 3 months of entry of a national stage; or
- ☐ It is being filed before the mail date of the first Office Action on the merits; or
- ☒ It is being filed before the mail date of the first Office Action after the filing of a request for continued examination under §1.114.

☐ 37 C.F.R. §1.97(c). If this statement is being filed three months after the filing date of a national application or entry of the national stage in an international application and the mailing date of a first Office action on the merits but before the mailing date of the earlier of a final office action, a notice of allowance, or an action that otherwise closes prosecution in the application, then:

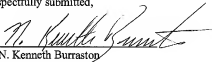
- ☐ a statement as specified in §1.97(e) is provided below; **or**
- ☐ a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☐ 37 C.F.R. §1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under §1.113, a notice of allowance under §1.311, or an action that otherwise closes prosecution in the application, but before payment of the issue fee, then:
- a statement as specified in §1.97(e) is provided below; **and**
- a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

*Fee:*

- ☒ No fee is due.
- ☐ A check that includes \$\_\_\_\_\_ for the above-identified fee(s) is enclosed.
- ☐ Payment is provided by credit card.
- ☐ This statement is filed as one part of a multi-part submission. The fee for the complete submission was included in an electronically filed submission on \_\_\_\_\_. Applicants request the foregoing fee be accepted for this statement. (See OG Notice dated 17 September 2002.)

Respectfully submitted,

Date: December 28, 2006

By   
N. Kenneth Burraston  
Reg. No. 39,923

Kirton & McConkie  
1800 Eagle Gate Tower  
60 East South Temple  
P.O. Box 45120  
Salt Lake City, Utah 84111-1004  
Telephone: (801) 323-5934  
Fax: (801) 321-4893

Modified Form PTO/SB/08A

Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				<i>Completes If Known</i>		
				Application Number	09/810,871	
				Filing Date	March 16, 2001	
				First Named Inventor	Eldridge et al.	
				Group Art Unit	2833	
Examiner Name	Alexander Gilman					
Sheet	1	of	1	Attorney Docket No. P70-US		

U.S. PUBLISHED PATENT DOCUMENTS						
Examiner Initials	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant	Publ./Issue Date	Related <sup>2</sup>
		Number	Kind Code <sup>3</sup>			
	1.	6991969		Johnson	1/31/2006	Yes

Examiner Signature	Date Considered
-----------------------	--------------------

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.

<sup>1</sup>Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

\*\* Reference cited in parent application US Serial No. \_\_\_, 37 CFR § 1.98(d)

\*\*\* Pre-OQ Notice By Deputy Commissioner Stephen G. Kunin dated July 11, 2003 waiving the requirement to file copies of US patent publications in applications filed after June 30, 2003.

& Notice dated October 19, 2004 by Deputy Commissioner for Patent Examination Policy waiving requirement to file copies of pending US patent applications if the applications are stored in the USPTO's IFW system.

# Commonly owned US patent or application whose subject matter may be related to the subject matter of the instance patent application.